

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

FAIR ISAAC CORPORATION, a)	Case No. 16-cv-1054 (WMW/DTS)
Delaware corporation,)	
)	
Plaintiff,)	
)	
v.)	
)	
FEDERAL INSURANCE COMPANY,)	
an Indiana corporation, and ACE)	
AMERICAN INSURANCE)	
COMPANY, a Pennsylvania)	
corporation,)	
)	
Defendants.)	

**PLAINTIFF FAIR ISAAC CORPORATION’S MOTION FOR SANCTIONS FOR
UNTIMELY SUPPLEMENTATION OF INTERROGATORY ANSWER**

Pursuant to Federal Rules of Civil Procedure 37, Plaintiff Fair Isaac Corporation (“FICO”) respectfully moves the Court for evidentiary sanctions against Defendants Federal Insurance Company and ACE American Insurance Company, including striking Defendants’ Ninth Supplemental Answer to Interrogatory No. 17. In the alternative, FICO seeks an order requiring Defendants to present a witness or witnesses to explain the methodology used in the untimely supplementation. FICO further seeks monetary sanctions, including payment of fees related to bringing the motion and fees for the depositions if the Court chooses that sanction. This Motion is supported by an accompanying Memorandum of Law to be filed in compliance with Local Rule 7.1, the papers and records on file herein, and on such information and evidence as may be presented at any hearing on this Motion.

Dated: October 28, 2020

MERCHANT & GOULD P.C.

/s/Heather Kliebenstein

Allen Hinderaker, MN Bar # 45787

Heather Kliebenstein, MN Bar # 337419

Michael A. Erbele, MN Bar # 393635

Joseph W. Dubis, MN Bar # 398344

MERCHANT & GOULD P.C.

150 South Fifth Street

Suite 2200

Minneapolis, MN 55402

Tel: (612) 332-5300

Fax: (612) 332-9081

ahinderaker@merchantgould.com

hkliebenstein@merchantgould.com

merbele@merchantgould.com

jdubis@merchantgould.com

Attorneys for Plaintiff FICO